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Practitioner's Docket No. MSU 4.1-542

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 17 2002

In re application of: Alberto L. Mendoza
Application No.: 0 9 / 998,822 Group No. 1645
Filed: 2001 November 01 Examiner:
For: VACCINE FOR PREVENTING PYTHIOSIS IN HUMANS AND ANIMALS

RESPONSE TO "NOTICE TO FILE CORRECTED APPLICATION PAPERS"

Commissioner for Patents
Washington, D.C. 20231

1. A copy of the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" mailed for this application on 12/13/2001 (Date) is attached.
2. In response to the requirements of the NOTICE applicant submits herewith substitute:

| | |
|---|--|
| <input checked="" type="checkbox"/> sheets of drawing | <input checked="" type="checkbox"/> No. of sheets <u>2</u> |
| <input type="checkbox"/> pages of specification | <input type="checkbox"/> No. of pages _____ |
| <input type="checkbox"/> pages of claims | <input type="checkbox"/> No. of pages _____ |
| <input type="checkbox"/> Other | |

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is **optional**.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a) **37 C.F.R. § 1.10 ***

with sufficient postage as first class mail. as "Express Mail Post Office to Addressee"
Mailing Label No. ET678044102US (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____

Tammi L. Taylor
Signature

Date: 1/17/2002

Tammi L. Taylor
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Response to "Notice to File Corrected Application Papers" [5-1.3]—page 1 of 3)

3. Applicant requests an extension of time for this response.

NOTE: 37 C.F.R. § 1.704(b) ". . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on

_____. (Date)

Applicant is

- a small entity. A small entity assertion:
 - is hereby made.
 - was already made.
 - other than a small entity.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(5)):

| <u>Extension (months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|---------------------------------------|--|---------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 400.00 | \$ 200.00 |
| <input type="checkbox"/> three months | \$ 920.00 | \$ 460.00 |
| <input type="checkbox"/> four months | \$ 1,440.00 | \$ 720.00 |

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____ -0-

5. The extension fee is paid as follows:

- Attached is a check money order in the amount of \$ _____
- Authorization is hereby made to charge the amount of \$ _____
 - to Deposit Account No. _____
 - to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

- Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

Reg. No.: **20,931**

Ian C. McLeod
(type or print name of practitioner)

Tel. No.: (517) 347-4100

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(Response to "Notice to File Corrected Application Papers" [5-1.3]—page 3 of 3)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/998,822 | 11/01/2001 | Alberto L. Mendoza | MSU 4.1-542 |

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CONFIRMATION NO. 6022

FORMALITIES LETTER



OC00000007190373

Date Mailed: 12/13/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

NL

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE